

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LORA L. STANLEY,

Plaintiff,

V.

Civil No. **05-4203-JPG**

**CARRIER MILLS-STONEFORT
SCHOOL DISTRICT NO. 2,
and RICHARD MORGAN,**

Defendants.

ORDER

PROUD, Magistrate Judge:

Before the court is the Illinois Department of Children and Family Services' Motion to Quash. (**Doc. 65**).

Defendant School District served a subpoena on DCFS seeking records concerning plaintiffs Kristi Nixon and James Roller. These minors were foster children placed in the home of Lora Stanley at the time of the events giving rise to this lawsuit. They are no longer placed in her home, and the records concern the circumstances under which they were removed.

DCFS resists production of the records because they are confidential under state law and because they are not relevant to the issues in this litigation.

Defendant argues that it seeks only limited information that will confirm or deny whether these two children are still the foster children of plaintiff Stanley, and further argues that it is entitled to the information under Illinois law. **See, Doc. 69.**

The court need not decide the Illinois law question, as plaintiff Stanley has now filed a Notice of Voluntary Dismissal of Certain Plaintiffs (**Doc. 70**), in which she confirms that James

Roller and Kristi Nixon, along with Darrell Rumsey, are no longer in her custody and have been placed in other foster homes. Thus, the information sought by the subpoena is no longer relevant and the subpoena should be quashed.

Upon consideration and for good cause shown, the Illinois Department of Children and Family Services' Motion to Quash (**Doc. 65**) is **GRANTED**.

IT IS SO ORDERED.

Date: January 24, 2007.

s/ Clifford J. Proud
CLIFFORD J. PROUD
U.S. MAGISTRATE JUDGE